

REMARKS

Claims 1-28 and 35-51 are pending.

Claims 1-28 and 35-51 stand rejected.

Claims 1, 8, 15-22, 39, and 49 have been amended. The claims have been amended for clarification.

Claim Rejections - 35 U.S.C. § 102

Claims 1-3, 6, 8-10, 13, 15-17, 20, 22-24, 27, 35, 36-41, 44, and 46-51 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,029,141 issued to Bezos et al. (referred to herein as "*Bezos*"). Applicant respectfully traverses the rejection.

Bezos teaches that a merchant Web site 106 includes a detail page 136 that "includes various information provided by the merchant (price, inventory, standard product description, etc.) about the selected product." *Bezos*, col. 7, lines 56-58. "From this page, a hyperlink can be selected that allows the selected product to be added to a customer "shopping cart." *Id.*, lines 58-60. "The shopping cart is a customer-specific data structure that is generated and maintained (within a shopping cart database 152) by executable code of the merchant site 106." *Id.*, col. 7, lines 61-63. "The database may be any type of data repository including, for example, an SQL table or ASCII text file." *Id.*, col. 7, lines 64-65. "The information stored within the shopping cart includes a list of the products that have been selected by the customer for prospective purchase, together with an identifier of the referring associate (if any) corresponding to each such product." *Id.*, col. 7, line 65 – col. 8, line 2.

Applicant respectfully submits that the Examiner has focused on the information displayed by a client system and stored or generated on the server system. Applicants respectfully submit that the Examiner's statements regarding any price information transmitted by the client system in *Bezos* are not supported by *Bezos*.

Claim 1.

Bezos fails to teach or suggest the present invention of claim 1 for several reasons. *Bezos* fails to teach “agreeing to said first offered price data by transmitting product-related information to the server for storage in a subportion of said plurality of server addresses, wherein the product-related information includes the first offered price data of the product”” Present Application, claim 1.

Bezos teaches that price information is supplied by a merchant Web site and displayed on a customer computer. Specifically, *Bezos* teaches:

In one implementation of the merchant Web site 106, selection of a referral link causes a product detail page 136 to be displayed on the customer computer 108. This detail page 136 is served by the merchant Web site 106, and includes various information provided by the merchant (price, inventory, standard product description, etc.) about the selected product. *Bezos*, col. 7, lines 51-54.

Bezos teaches that the customer can select a product and the selected product is added to a shopping cart. Specifically, *Bezos* teaches:

From this page, a hyperlink can be selected that allows the selected product to be added to a customer "shopping cart." *Id.*, lines 58-60.

Regarding a referral hyperlink to order a product, *Bezos* teaches that:

the referral link (included between the HTML anchor tags "A" and "/A") consists of the URL <http://www.amazon.com/exec/obidos/ISBN=0809232022/skinetA/> and the corresponding textual description "Click here to order Terrain Skiing!" The URL is identified as such by the standard HREF (hypertext reference) tag. The portion of the URL preceding "skinetA" uniquely identifies a product detail page (of the AMAZON.COM site) of a book having an ISBN of 0809232022. As described below, the "skinetA" portion of the URL identifies both the referring associate and a commission scheme. The referral link is included within the document such that selection by the customer of the text "Click here to order Terrain Skiing!" causes the Web browser 112 to transmit the URL on the Internet 104 via a standard HTTP message. *Id.*, col. 11, line 67-col. 12, line 13.

Bezos also teaches that the “shopping cart is a customer-specific data structure that is generated and maintained (within a shopping cart database 152) by executable code of the merchant site 106.” *Id.*, lines 61-63.

Bezos teaches that the “information stored within the shopping cart includes a list of the products that have been selected by the customer for prospective purchase, together with an identifier of the referring associate (if any) corresponding to each such product.” *Id.*, col. 7, line 65-col. 8, line 2.

The Examiner states that “at least col. 13, line 9-col. 15, line 60 and Figs. 8 and 9 “explicitly disclose that the shopping cart stores the customer’s transmitted selection of products and the product-related information, such as price.” Office Action, p. 4, para. 3. However, the content of the shopping cart, which is “a customer-specific data structure that is generated and maintained [] by executable code of the merchant site 106” does not address Claim 1.

Claim 1 recites:

agreeing to said first offered price data by transmitting product-related information to the server for storage in a subportion of said plurality of server addresses, wherein said transmitted product-related information **includes said first offered price data** of the product.

Thus, even assuming that the shopping cart includes price data, there is no teaching or suggestion in *Bezos* that the customer computer “transmitted product-related information [that] **includes said first offered price data** of the product.” *Bezos* teaches that the customer can select a product by selecting a hyperlink. *Bezos*, col. 7, lines 61-63. Regarding the referral link to order a product, the example referral link taught by *Bezos*, i.e. “URL <http://www.amazon.com/exec/obidos/ISBN=0809232022/skinetA/> and the corresponding textual description “Click here to order Terrain Skiing!.” clearly teaches that the customer selected product in *Bezos* is and can be selected by the customer **without** the client transmitting “offered price data.”

Although *Bezos* does teach displaying price to a user, after a thorough review of *Bezos*, Applicants have found no teaching in *Bezos* that the data transmitted by the customer includes anything other than a server URL, identification of a product page, and identification of the customer. **Applicants respectfully submit that the Office Action does not quote or otherwise identify any specific teachings in *Bezos* that suggest otherwise and that the explicit teachings of *Bezos* are contrary to the analysis of *Bezos* in the Office Action.** Accordingly,

Applicants respectfully submit that *Bezos* does not teach or suggest “agreeing to said first offered price data by transmitting product-related information to the server for storage in a subportion of said plurality of server addresses, wherein said transmitted product-related information includes said first offered price data of the product.” Claim 1.

Furthermore, Applicants respectfully submit that *Bezos* fails to teach “changing said agreed price data of said product to a second offered price data of said product in response to an event.” The Examiner states that:

the user selects books and stores information including price about the selected books in the shopping cart. *Bezos* allows user to make a change in the selections made earlier and stored in the shopping cart, wherein these changes made to his earlier selections would inherently result to a new offered price data for the changed selection of books. Office Action, p. 4, para. 2.

Applicants have clarified that the first price data and second offered price data refer to the same product in Claim 1. Applicants respectfully submit that revising an order in *Bezos* to add or subtract other products from the shopping cart does not affect individual offered product prices.

Claim 8.

For at least all the reasons pertaining to claim 1, Applicants respectfully submit that *Bezos* neither teaches nor suggests the code to “permit agreement to said first offered price data by transmitting product-related information to the server for storage in a subportion of said plurality of server addresses, wherein said transmitted product-related information includes said first offered price data of the product and wherein the subportion of said plurality of server addresses are associated with an identification code corresponding to a user of the browser, wherein the agreed to offered price data defines agreed price data of said product and said agreed price data changes to second offered price data of said product in response to an event.” Claim 8.

Claim 15.

For at least all the reasons pertaining to claim 1, Applicants respectfully submit that *Bezos* neither teaches nor suggests the “code to receive product-related information from said

client computer system indicating an acceptance of said first offered price data, wherein said received product-related information includes said first offered price data of the product” and the “code to store said product-related information in said subportion of said plurality of server addresses, wherein the accepted offered price defines agreed price data” and “code to change said agreed price data of said product to second offered price data of said product in response to an event.” Claim 15.

Claim 22.

For at least all the reasons pertaining to claim 1, Applicants respectfully submit that *Bezos* neither teaches nor suggests the “means for agreeing to said first offered price data by transmitting product-related information to the server for storage in a subportion of said plurality of server addresses, wherein said product-related information includes said first offered price data of the product and wherein the subportion of said plurality of server addresses are associated with an identification code corresponding to a user of the browser, wherein the agreed to offered price data defines agreed price data” and “means for changing said agreed price data to a second offered price data in response to an event.” Claim 22.

Claim 39.

For at least all the reasons pertaining to claim 1, Applicants respectfully submit that *Bezos* neither teaches nor suggests “receiving product-related information from said client computer system indicating an acceptance of said first offered price data, wherein said received product-related information includes said first offered price data of the product and storing said product-related information in said subportion of said plurality of server addresses, wherein the accepted offered price defines agreed price data” and “changing said agreed price data of said product to second offered price data of said product in response to an event.” Claim 39.

In light of the above remarks, Applicant respectfully requests withdrawal of the rejection of independent claims 1, 8, 15, 22, and 39. Applicant also respectfully requests withdrawal of the rejection of claims dependent upon independent claims 1, 8, 15, 22, and 39 for at least the same reasons.

Claim Rejections - 35 U.S.C. § 103

(A) Claims 4-5, 11-12, 18-19, 25-26, and 42-43 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,282,517 issued to Wolfe et al. (referred to herein as "*Wolfe*"). Applicant respectfully traverses the rejection.

Applicant respectfully requests withdrawal of the rejection of claims 4-5, 11-12, 18-19, 25-26, and 42-43 for at least the same reasons as the independent claim upon which claims 4-5, 11-12, 18-19, 25-26, and 42-43 directly or indirectly depend.

(B) Claims 7, 14, 21, 28 and 45 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Bezos in view of U.S. Patent No. 6,125,352 issued to Franklin et al. (referred to herein as "*Franklin*"). Applicant respectfully traverses the rejection.

Applicant respectfully requests withdrawal of the rejection of claims 7, 14, 21, 28 and 45 for at least the same reasons as the independent claim upon which claims 7, 14, 21, 28 and 45 directly or indirectly depend.

CONCLUSION

In view of the amendments and remarks set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the examiner is requested to telephone the undersigned.

EXPRESS MAIL LABEL NO.
EV571047526US

Respectfully submitted,



Kent B. Chambers
Attorney for Applicant(s)
Reg. No. 38,839